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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/288,774 04/08/99 PIVOWAR

A PFTRP002

LM12/0523
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EXAMINER

DELA TORRE, C

ART UNIT

PAPER NUMBER

2773

DATE MAILED:

05/23/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/288,774

Applicant(s)

Pivowar et al.

Examiner

Crescelle Dela Torre

Group Art Unit

2773



☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1035 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-27 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-27 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 7

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

1. Claims 1 - 27 are pending in this application. Claims 1, 7, 11, 18, 20, and 22 are independent claims.
2. The present title of the invention is "System and Method for Display Multiple Calendars on a Personal Digital Assistant".

Specification

3. The disclosure is objected to because of the following informalities: on page 1, the U.S. serial numbers and current status should be included for the related applications.

Appropriate correction is required.

Claim Rejections - 35 U.S.C. § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1 - 25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jenson (U.S. patent 5,457,476) in view of Bauer (U.S. patent 5,877,759).

As per claim 1, Jenson teaches the following subject matter:

a portable, hand-held housing with a top face, bottom face, and side wall therebetween for defining an interior space, at Fig. 2, and col. 5, lines 51 - 52;

an input device, with stylus 38, at Fig. 1, and col. 5, lines 33 - 35;

a display, at Figs. 1, 2, and col. 5, lines 48 - 50;

memory, at Fig. 1, and col. 4, lines 23 - 24, for storing a calendar including a plurality of scheduled matters, at Figs. 3a - 13; and

a controller, at Fig. 1, and col. 4, lines 22 - 23; for depicting the calendar on the display, as at Figs. 3a - 13.

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Regarding claim 1, Jenson teaches the above aspects of applicant's invention, but does not specifically teach simultaneously depicting the plural calendars on the display.

However, it is known in the art that multiple calendars can be simultaneously displayed. For instance, Bauer teaches an interface for displaying plural calendars, at Fig. 9, and col. 14, lines 19 - 21, wherein the "schedules of various individuals are compared side-by-side".

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to simultaneously depict plural calendars as taught in Bauer in the invention of Jenson because it helps a user identify possible scheduling conflicts.

With reference to claim 2, Bauer teaches that scheduled matters are depicted with each calendar, at Fig. 9, and col. 14, lines 19 - 21.

In addition, Jenson teaches dividing the calendar into increments of hours [claim 3] at Fig. 3a; days [claim 4] or weeks [claim 5], both at Fig. 11; as well as manipulating the calendars [claim 6] at col. 2, lines 40 - 47.

As per claim 7, Bauer teaches the following subject matter:

depicting at least one calendar, at Figs. 4 - 9;

depicting icons corresponding to time increments of hours, days, and weeks, at col. 14, lines 29 - 38;

allowing selection of one of the icons, at col. 14, lines 37 - 38; and

dividing at least one calendar into the time increments corresponding to the selected icon, at col. 14, lines 29 - 38.

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Regarding claim 7, Bauer teaches the above operations of applicant's invention, but does not specifically teach that the calendar is displayed on a portable data storage module.

However, it is known in the art that portable electronic devices can contain a user's calendar. For instance, Jenson teaches a computerized organizer, at Fig. 2, that includes a scheduler. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the interface of Bauer on a portable device as in Jenson because it provides the user with calendar functions on a handheld device.

Neither Bauer nor Jenson specifically teach that the icon is altered upon the plural calendars being displayed simultaneously [claim 8], wherein the selected icon is altered [claim 9] as a function of the number of calendars displayed [claim 10].

However, it is known in the art that icons can be emphasized in a visually distinct manner when the icon is selected. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to alter the selected icon as a function of the number of calendars that are displayed simultaneously because it provides visual feedback to the user of the current display state.

As per claim 11, Bauer teaches the following:

providing a window which identifies each of the calendars, at Figs. 7, 9, and col. 14, lines 8 - 11;

allowing selection of the identified calendars, at Fig. 9, and col. 14, lines 19 - 24; and simultaneously displaying all of the selected calendars, at Fig. 9.

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Bauer teaches the above operations of claim 11, but does not specifically teach that the calendar is displayed on a portable data storage module.

However, it is known in the art that portable electronic devices can contain a user's calendar. For instance, Jenson teaches a computerized organizer, at Fig. 2, that includes a scheduler. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the interface of Bauer on a portable device as in Jenson because it provides the user with calendar functions on a handheld device.

In addition, Bauer teaches that selected calendars are depicted simultaneously [claim 12] and may be replaced with another calendar [claim 13] at col. 14, lines 19 - 28; selecting an icon [claim 15] at col. 14, lines 29 - 38; and giving each selected calendar a calendar heading [claim 17] at col. 14, lines 29 - 30.

Jenson teaches check boxes [claim 14] 102, at Fig. 9, and col. 9, lines 60 - 61, and a pull-down menu [claim 16] at Fig. 10, and col. 10, lines 20 - 21.

Regarding claim 18, Jenson teaches depicting a calendar on a display of a portable data storage module, at Figs. 2 - 13, wherein the calendar is divided into sections corresponding to time increments and depicting scheduled matters in the sections, as illustrated at Figs. 8, 11 - 13; and altering a size of the sections as a function of the number of days simultaneously depicted, as at Figs. 7, 8.

As to claim 18, Jenson teaches the above aspects of applicant's invention, but does not specifically teach simultaneously depicting the plural calendars on the display.

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However, it is known in the art that multiple calendars can be simultaneously displayed. For instance, Bauer teaches an interface for displaying plural calendars, at Fig. 9, and col. 14, lines 19 - 21, wherein the “schedules of various individuals are compared side-by-side”.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to simultaneously depict plural calendars as taught in Bauer in the invention of Jenson because it helps a user identify possible scheduling conflicts.

In reference to claim 19, Jenson teaches that the section size is inversely proportional to the numbers of days depicted, at Figs. 7, 8.

As per claim 20, Jenson teaches depicting a calendar on a display of a portable data storage module, at Figs. 2 - 13, and allowing movement of the scheduled matter of the calendar, at col. 2, lines 48 - 57.

Jenson teaches the above aspects of claim 20, but does not specifically teach depicting the plural calendars on the display.

However, it is known in the art that multiple calendars can be displayed. For instance, Bauer teaches an interface for displaying plural calendars, at Fig. 9, and col. 14, lines 19 - 21, wherein the “schedules of various individuals are compared side-by-side”.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to depict plural calendars as taught in Bauer in the invention of Jenson because it helps a user identify possible scheduling conflicts.

Regarding claim 21, Jenson teaches dragging the scheduled matter, at col. 2, lines 48 - 57.

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As to claim 22, Bauer teaches the following:

providing plural calendar databases, at Fig. 9, and col. 14, lines 19 - 28;

providing a common database 52, at Fig. 3b, including plural identification data sets having attributes corresponding to the calendar database, at col. 14, lines 8 - 11; and displaying the calendars accordingly, at Fig. 9.

Bauer teaches the above operations of claim 22, but does not specifically teach that the calendars are displayed on a portable data storage module.

However, it is known in the art that portable electronic devices can contain a user's calendar. For instance, Jenson teaches a computerized organizer, at Fig. 2, that includes a scheduler. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the interface of Bauer on a portable device as in Jenson because it provides the user with calendar functions on a handheld device.

Bauer teaches an attribute that indicates selection of one of the calendars [claim 23] at Fig. 9, and col. 14, lines 19 - 24.

Jenson teaches a primary calendar [claim 24] at col. 11, lines 1- 3.

As to claim 25, Jenson teaches read-only information, at Fig. 1.

As per claim 27, Bauer teaches manipulating the calendars at col. 14, lines 29 - 38, while Jenson also teaches calendar manipulation, at col. 2, lines 40 - 47.

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7. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jenson (U.S. patent 5,457,476) and Bauer (U.S. patent 5,877,759) as applied to claim 22 above, and further in view of Mann et al. (U.S. patent 5,621,458).

As per claim 26, neither Jenson nor Bauer specifically teach a foreign calendar. However, it is known in the art that a custom calendar may include a "calendar of a foreign country". For instance, Mann et al., hereinafter Mann teaches the creation of a custom calendar, which may include a foreign calendar, at col. 3, lines 19 - 22.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a foreign calendar because it provides an additional way to modify the calendar interface.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The additionally cited U.S. patent documents describe various electronic calendaring and scheduling systems and methods.

Responses

9. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-9051 may be used for formal communications or (703) 308-6606 for informal or draft communications.

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Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Inquiries

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crescelle dela Torre whose telephone number is (703) 305-9782. The examiner can normally be reached on Mondays-Thursdays from 8:30 am to 4:00 pm, and on alternating Fridays from 8:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim, can be reached at (703) 305-3821.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

C. dela Torre
CRESCELLE N. DELA TORRE
PRIMARY EXAMINER
5/17/00